



Atty. Dkt. No. 030307-0217

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Lars BLANK, *et al.*  
Title: METHOD OF IMPROVING  
BIOMASS YIELD OF LACTIC  
ACID BACTERIAL CULTURES  
Appl. No.: 10/623,578  
Filing Date: 07/22/2003  
Examiner: Leon B. LANKFORD, JR.  
Art Unit: 1651

**TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Your Petitioner, DANMARKS TEKNISKE UNIVERSITET, having its principal place of business at Building 101 A, Kgs. Lyngby, 2800, Denmark, represents that it is the owner of the entire right, title, and interest in and to U.S. Patent Application Serial No. 10/623,578, filed July 22, 2003, which is a divisional of U.S. Patent No. 6,610,530, which issued on U.S. Patent Application No. 09/898,490, filed July 5, 2001, by virtue of an Assignment filed and recorded on September 10, 2001, on Reel/Frame 012148/0732, in the United States Patent and Trademark Office, a copy of which is attached hereto as APPENDIX A.

Your Petitioner, DANMARKS TEKNISKE UNIVERSITET, hereby disclaims the terminal part of the term of any patent granted on the above identified patent application which would extend beyond the full statutory term, as shortened by any terminal disclaimer, of U.S. Patent 6,610,530, and hereby agrees that any patent so granted on the above identified patent application shall be enforceable only for and during such period that the legal title to U.S. Patent 6,610,530 shall be the same as the legal title to any patent granted on the above

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identified patent application, this agreement to run with any patent granted on the above identified patent application and to be binding upon the grantee, its successors or assigns.

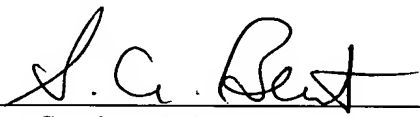
In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on the above identified patent application, prior to the full statutory term of U.S. Patent 6,610,530 as defined in 35 U.S.C. §§154-156 and 173, in the event that U.S. Patent 6,610,530 expires for failure to pay a maintenance fee, is held unenforceable or is found invalid in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims canceled by a reexamination certificate or as a result of an interference proceeding, or is otherwise not deemed to provide the rights conveyed by 35 USC §154, prior to the full statutory term of U.S. Patent 6,610,530 as defined in 35 USC §§154-156 and 173, except for the separation of legal title stated above. Further, Petitioner does not disclaim any terminal part of a patent granted on the above identified patent application that would extend beyond the present termination of U.S. Patent 6,610,530, in the event that such present term is extended by virtue of compliance with the conditions for term extension of any present or future patent term extension provisions of the patent law, including but not limited to 35 U.S.C. §§155, 155A or 156, and without waiving Petitioner's right to extend the term of a patent granted on the above identified patent application to the extent provided by law.

The undersigned, being the Attorney of Record for the above identified patent application, and duly authorized to act on behalf of Petitioner, certifies that he has reviewed the Assignments attached as APPENDIX A, and to the best of his knowledge and belief, legal title to the above identified patent application and U.S. Patent 6,610,530 rests with Petitioners, DANMARKS TEKNISKE UNIVERSITET. The undersigned declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing therefrom.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

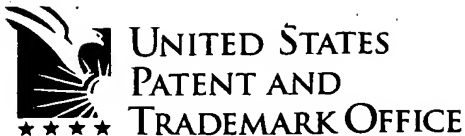
Respectfully submitted,

Date 4 April 2006  
FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5404  
Facsimile: (202) 672-5399

By   
Stephen A. Bent  
Attorney for Applicants  
Registration No. 29,768



# APPENDIX A



30307/200  
SABE

NOVEMBER 14, 2001

PTAS

Chief Financial Officer and Chief Administrative Officer  
Washington, DC 202  
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\*101842802A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/10/2001

REEL/FRAME: 012148/0732  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

JENSEN, PETER RUHDAL

DOC DATE: 08/15/2001

ASSIGNOR:

BLANK, LARS

DOC DATE: 08/15/2001

ASSIGNOR:

KOEBMANN, BRIAN JENSEN

DOC DATE: 08/22/2001

ASSIGNEE:


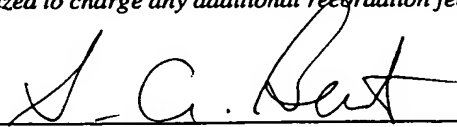
DANMARKS TEKNISKE UNIVERSITET  
BUILDING 101A  
2800 KGS. LYNGBY, DENMARK

SERIAL NUMBER: 09898490  
PATENT NUMBER:

FILING DATE: 07/05/2001  
ISSUE DATE:

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ALLYSON PURNELL, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

FORM PTO-1595 (modified) (Rev 6-93)		09-14-2001  101842802	U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office						
To the Director of the United States Patent and Trademark Office: Please return the attached original documents or copies thereof.									
1. Name of conveying party(ies):  <b>Peter Ruhdal JENSEN (August 15, 2001)</b> <b>Lars BLANK (August 15, 2001)</b> <b>Brian Jensen KOEBMANN (August 22, 2001)</b>  Additional conveying party(ies) attached? <b>NO</b>	2. Name and address of receiving party(ies):  <b>DANMARKS TEKNISKE UNIVERSITET</b> <b>Building 101A</b> <b>2800 Kgs. Lyngby Denmark</b>								
3. Nature of conveyance:  <b>ASSIGNMENT</b>  Execution Date: <b>August 15 and 22, 2001</b>	Additional name(s) & address(es) attached? <b>NO</b>								
4. Application number(s) or patent number(s):  If this is being filed together with a new application, the execution date of the application is:  <table style="width: 100%;"> <tr> <td style="width: 50%;">           A. Patent Application Number(s):   <b>09/898,490</b> </td> <td style="width: 50%;">           B. Patent Number(s):             Additional numbers attached? <b>NO</b> </td> </tr> </table>				A. Patent Application Number(s):  <b>09/898,490</b>	B. Patent Number(s):  Additional numbers attached? <b>NO</b>				
A. Patent Application Number(s):  <b>09/898,490</b>	B. Patent Number(s):  Additional numbers attached? <b>NO</b>								
5. Name and address of party to whom correspondence concerning document should be mailed:  <b>Stephen A. Bent</b> <b>FOLEY &amp; LARDNER</b> <b>Washington Harbour</b> <b>3000 K Street, N.W., Suite 500</b> <b>Washington, D.C. 20007-5109</b>	<table style="width: 100%;"> <tr> <td style="width: 50%;">           6. Total number of applications/patents involved: <b>1</b> </td> <td style="width: 50%;">           7. Total fee (37 C.F.R. § 3.41): <b>\$40.00</b> </td> </tr> <tr> <td colspan="2"> <input checked="" type="checkbox"/> Check Enclosed            Charge to deposit account         </td> </tr> <tr> <td colspan="2">           8. Deposit account number: <b>19-0741</b> </td> </tr> </table>			6. Total number of applications/patents involved: <b>1</b>	7. Total fee (37 C.F.R. § 3.41): <b>\$40.00</b>	<input checked="" type="checkbox"/> Check Enclosed Charge to deposit account		8. Deposit account number: <b>19-0741</b>	
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13/2001 TDIAZI 00000200 09898490 FC:581 40.00 00									
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9. Statement and signature: <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. The Commissioner is hereby authorized to charge any additional recordation fees which may be required in this matter to the above-identified deposit account.</i>									
<b>Stephen A. Bent</b>		<b>September 10, 2001</b>							
Name of person signing	Signature	Date							
Total number of pages including cover sheet, attachments, and document: <b>3</b>									

## ASSIGNMENT

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto

**Danmarks Tekniske Universitet**  
Building 101A  
2800 Kgs. Lyngby, Denmark

(hereinafter ASSIGNEE) all right, title and interest for the United States, its territories and possessions in and to this invention relating to

### **METHOD OF IMPROVING BIOMASS YIELD OF LACTIC ACID BACTERIAL CULTURES**

as set forth in this United States Patent Application

check one    ☐ executed concurrently herewith  
                  ☐ executed on \_\_\_\_\_  
                  ☒ Serial No. 09/898,490 Filed July 5, 2001

in and to said United States Patent Application including any and all divisions or continuations thereof and in and to any and all Letters Patent of the United States which may issue on any such application or for said invention, including any and all reissues or extensions thereof, to be held and enjoyed by said ASSIGNEE, its successors, legal representatives and assigns to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by the undersigned had this Assignment not been made;

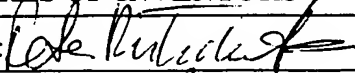
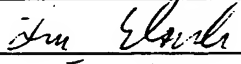

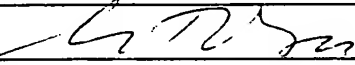
Each of the undersigned hereby authorizes and requests the Commissioner of Patents and Trademarks to issue any and all such Letters Patent to said ASSIGNEE, its successors or assigns in accordance herewith;

Each of the undersigned warrants and covenants that he has the full and unencumbered right to sell and assign the interests herein sold and assigned and that he has not executed and will not execute any document or instrument in conflict herewith;

Each of the undersigned further covenants and agrees he will communicate to said ASSIGNEE, its successors, legal representatives or assigns all information known to him relating to said invention or patent application and that he will execute and deliver any papers, make all rightful oaths, testify in any legal proceedings and perform all other lawful acts deemed necessary or desirable by said ASSIGNEE, its successors, legal representatives or assigns to perfect title to said invention, to said application including divisions and continuations thereof and to any and all Letters Patent which may be granted therefor or thereon, including reissues or extensions, in said ASSIGNEE, its successors, or assigns or to assist said ASSIGNEE, its successors, legal representatives or assigns in obtaining, reissuing or enforcing Letters Patent of the United States for said invention;



Each of the undersigned hereby authorizes the firm of **FOLEY & LARDNER** to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

<b>NAMES AND SIGNATURES OF INVENTORS</b>		
Name: Peter Ruhdal JENSEN	Signature: 	Date: August 5, 2001
Name: Lars BLANK	Signature: 	Date: 15/8/01
Name: Brian Jensen KOEBMANN	Signature: 	Date: 22/8/01
<b>AND SIGNATURES OF NAMES WITNESSES</b>		
Name: LIS TORNBØRG	Signature: 	Date: 24/8/01
Name:	Signature:	Date:

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